

## MEMORANDUM

To: Parties to PSB Docket No. 7466 (EEU Structure)

From: Judith C. Whitney, Deputy Clerk of the Board

Re: EEU Structure Prefiled Testimony

Date: June 3, 2009

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On May 8, 2009, the Public Service Board ("Board") issued a scheduling order in this docket providing for a litigation schedule. In accordance with that schedule, on May 29, 2009, the Department of Public Service's ("Department") filed a Revised "Draft Recommendation" for the Energy Efficiency Utility ("EEU") structure. The Department's filing indicated that the draft recommendation does not represent a settlement of the docket or the position of a single party. As a result, the Department suggests that the Board consider requesting that prefiled testimony focus on the issues in dispute rather than the language in the draft recommendation.

In accordance with the schedule adopted in the May 8 scheduling order, parties will be filing Direct and Rebuttal Testimony on June 12, 2009 and June 26, 2009, respectively. The Board requests that parties focus their prefiled testimony on the substance of the remaining contested issues among parties, rather than the specific language in the draft recommendations for the EEU structure.

The Department's May 29 filing indicated that there may be a conflict in the schedule with regard to the Technical Hearings scheduled for the week of August 10, 2009. Based on the potential conflict, the Board is changing the schedule for the Technical Hearings to September 15 through September 17, 2009.

The May 8 scheduling order provided parties with the opportunity to file requests for amendments to the schedule by June 5, 2009. The Board will decide on any further changes to the schedule after that filing date. Given the change in the dates for the Technical Hearings, parties should indicate whether they believe the dates for prefiled testimony should be modified.